

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
) MURs 4530, 4531, 4547,
DNC Services Corporation/Democratic) 4642, and 4909
National Committee and its treasurer)

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission executive session on April 19, 2001, do hereby certify that the Commission took the following actions with respect to the above-captioned matter:

A. Failed by a vote of 2-4 to:

Adopt a knowledge standard as the mental standard for determining whether a respondent is civilly liable under 2 U.S.C. § 441e(a) for the acceptance or receipt of a contribution from a foreign national. Knowledge shall be defined as "actual knowledge or willful blindness." "Willful blindness" shall mean that knowledge will be imputed to the respondent when the respondent was aware of the high probability that a contributor was a foreign national, except in cases where the respondent actually believed that the contributor was a U.S. national or permanent resident alien.

Commissioners Sandstrom and Thomas voted affirmatively for the decision. Commissioners Mason, McDonald, Smith, and Wold dissented.

(continued)

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B. Failed by a vote of 0-6 to:

Adopt a strict liability standard
as the mental standard for
determining whether a respondent
is civilly liable under 2 U.S.C.
§ 441e(a) for the acceptance or
receipt of a contribution from a
foreign national.

Commissioners Mason, McDonald, Sandstrom, Smith, Thomas,
and Wold dissented.

Attest:

April 20, 2001
Date

Darlene Harris
Darlene Harris
Acting Deputy Secretary
of the Commission